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# HOUSE BILL No. 1292

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** None (noncode).

**Synopsis:** Mold exposure standards. Directs the state department of health to make recommendations to the legislative council regarding toxic mold exposure limits. Creates a task force to participate in developing the recommendations.

**Effective:** July 1, 2004.

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January 15, 2004, read first time and referred to Committee on Rules and Legislative Procedures.

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Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

## HOUSE BILL No. 1292

A BILL FOR AN ACT concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. [EFFECTIVE JULY 1, 2004] (a) As used in this  
2       SECTION, "authoritative body" means a recognized national or  
3       international entity with expertise in public health, mold  
4       identification and remediation, or environmental health.

5       (b) As used in this SECTION, "building" means an enclosed  
6       structure.

7       (c) As used in this SECTION, "certified industrial hygienist"  
8       has the meaning set forth in IC 24-4-11-4.

9       (d) As used in this SECTION, "code enforcement officer" means  
10      a local official responsible for enforcing housing codes and  
11      maintaining public safety in buildings.

12      (e) As used in this SECTION, "mold" means any form of  
13      multicellular fungi that live on plant or animal matter in indoor  
14      environments. Types of mold include:

- 15          (1) Cladosporium;
- 16          (2) Penicillium;
- 17          (3) Alternaria;
- 18          (4) Aspergillus;



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- (5) *Fusarium*;
- (6) *Trichoderma*;
- (7) *Memnoniella*;
- (8) *Mucor*; and
- (9) *Stachybotrys chartarum*.

(f) As used in this SECTION, "state department" refers to the state department of health.

(g) The state department shall, not later than August 1, 2004, convene a task force to advise the state department on developing recommendations required by subsection (h). The task force consists of eleven (11) members appointed by the governor as follows:

- (1) A representative of public health officials.
- (2) A representative of code enforcement officers.
- (3) A representative of experts on the health effects of mold.
- (4) A representative of medical experts.
- (5) A representative of certified industrial hygienists.
- (6) A representative of mold abatement experts.
- (7) A representative of individuals affected by toxic mold.
- (8) A representative of builders.
- (9) A representative of realtors.
- (10) A representative of rental property owners.
- (11) A representative of multiple family rental property owners.

(h) The state department, with the cooperation of the task force convened under subsection (g), shall, not later than November 1, 2004, develop recommendations for:

- (1) indoor mold exposure limits, including mold exposure limits for:
  - (A) hospitals;
  - (B) nursing homes;
  - (C) child care facilities; and
  - (D) elementary and high schools; and
- (2) mold identification guidelines for the recognition of mold, water damage, or microbial volatile organic compounds in indoor environments.

(i) In developing the recommendations required by subsection (h), the state department and the task force shall:

- (1) balance the protection of public health with technological feasibility;
- (2) use and include the latest scientific data or existing standards adopted by authoritative bodies; and

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**(3) consider the following:**

**(A) The adverse health effects of exposure to mold upon:**

- (i) the general public;**
- (ii) infants;**
- (iii) children who are less than six (6) years of age;**
- (iv) pregnant women;**
- (v) the elderly;**
- (vi) asthmatics;**
- (vii) individuals with allergies;**
- (viii) individuals with weakened immune systems; and**
- (ix) individuals who are identified as being at a greater risk than the general population when exposed to mold.**

**(B) The mold exposure standards adopted by authoritative bodies.**

**(C) Toxicological studies and other scientific evidence that relates to mold.**

**(j) Not later than December 1, 2004, the state department shall report, in an electronic format under IC 5-14-6, the recommendations developed under subsection (h) to the executive director of the legislative services agency.**

**(k) A member of the task force is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). However, a member of the task force is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and for other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.**

**(l) Funding for the task force shall be paid solely from the budget of the state department.**

**(m) The state department shall provide staff and administrative support to the task force.**

**(n) This SECTION expires December 31, 2004.**

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